

## REMARKS

### **Disposition of Claims**

Claims 1-20 were pending in the application. Claims 1-20 were rejected. No Claims were allowed.

By way of this amendment, the applicant has amended paragraph [0025] of the specification and replaced Fig. 4 in the drawings. Additionally, claims 2, 4, 9, 13, 15 and 18 have been canceled. Claims 1, 3, 5, 7, 10, 11, 14 16, 17, 19 and 20 have been amended. Claims 6, 8, 12, and 19 remain unchanged.

Accordingly, Claims 1, 3, 5-8, 10-12, 14, 16, 17 and 19-20 remain pending in the application and stand ready for further action on the merits.

### **Objection to Drawings**

The drawings were objected to as not showing the first and second seats and the magnets as included in the claims. The Applicant has amended the claims to eliminate the reference to seats and has amended Fig. 4 to depict a magnet at reference numeral 47. No new subject matter has been added to the application as a result of this amendment. Accordingly withdrawal of this objection is respectfully requested.

### **Rejections To Claims Under 35 U.S.C. §112**

Claims 1-5 and 7 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. The applicant has amended the claims in accordance with the recommendations recited by the Examiner. Withdrawal of this rejection is respectfully requested.

Claims 4, 5, 9, 10, 15, 16 and 20 were also rejected under 35 U.S.C. §112, second paragraph, as being indefinite. The rejection stated that it was unclear what Claims 4, 9, 16 and 20 meant with respect to first and second seats and what Claims 5, 10, 16 and 20 meant with respect to first and second magnets. The Applicant has deleted Claims 4, 9, 16 and the reference to seats found within Claim 20. Further the Applicant has amended first and second magnets to magnets and indicated a magnet at reference 47 in Fig. 4. In view of these claim cancellations and amendments, the

Applicant believes that these claims are now definite and fully supported. Withdrawal of this rejection is respectfully requested.

***Rejections Under 35 U.S.C. §103***

The present Office Action has rejected claims 1-3, 11-13, 14, 17-19 under 35 U.S.C. §103(a) as being unpatentable over US Patent No. 1,068,621 (Abraham) in view of US Patent No 5,454,179 (Bulka) and US Patent No. 214,105 (Cole). The Examiner has stated that Abraham discloses a picture frame including a front surface, a rear surface and aperture in the front surface defining a display area for receiving and displaying a picture, a storage compartment received adjacent the rear surface of the picture frame, said storage compartment having an aperture and a closure element for covering and closing the aperture. The Examiner further stated that while Abraham the storage compartment being slidably removable from the picture frame or nor the use of receiver rails for installing the storage compartment onto the rear of the picture frame, Bulka teaches a slidably received storage compartment and Cole teaches the use of mounting channels and that it would be obvious to a person of ordinary skill in the art to combine these references in order to produce present invention.

The Examiner has identified element 13 in the Abraham reference as a closure element. However, element 13 is clearly indicated as, “a card border that is formed of heavy cardboard of canton flannel to present a smooth and yieldable surface.” This card border is configured to receive and support a single picture. A plurality of card borders, supporting a plurality of pictures, is then stacked together and the stack is placed into the compartment wherein the front picture in the stack is displayed through the glass in the picture frame. This is not a closure element because clearly the purpose as stated within the Abraham reference itself is to allow a user to freely withdraw any one of the pictures within the plurality by sliding it out and move it to the front of the stack so that it is displayed through the display window.

The claims of the present invention as amended clearly can be contrasted with the invention in the Abraham patent. The present invention is formed to provide a storage compartment that is adapted for use with any conventional picture frame. The storage compartment is meant to receive a sleeve of pictures wherein the entire sleeve is bound into a single storage album by the binder rail. The sleeve of pictures including

the binder rail is inserted into an aperture in the side of the storage compartment and the binder rail serves to close the aperture in the storage compartment providing a neat and finished appearance. This allows a user to store a group of pictures that are generally related to the picture in the display position within the frame in a convenient and accessible location for future viewing. This is clearly different from the device in Abraham wherein each of the pictures are mounted separately onto individual pieces of cardboard where the user can switch any of the pictures into a display position. There is no disclosure related to a binder rail wherein the binder rail holds a sleeve of pictures and also serves to close the aperture in the storage compartment.

Cole was cited as disclosing a storage box that slides onto the rear of a picture frame using mounting channels formed in the sides of the picture frame. However, the storage box does not have any aperture provided for accessing the storage box once installed with the picture frame. The only means for accessing the contents of the box however is by disturbing the entire assembly and removing the picture frame from the box. This simply does not meet the claimed limitations of the present invention wherein the storage box has an aperture making it accessible for picture storage without disrupting the entire assembly.

Bulka includes the disadvantages of both Abraham and Cole combined. Bulka is configured so that the front panel allows the contents of the storage compartment to be displayed, thereby requiring a specialized front panel or frame. In addition, to access the storage compartment, the frame must be picked up, disturbed and snapped open. There is no aperture in the sidewall of the storage compartment into which a sleeve of pictures can be inserted and easily accessed for viewing without disrupting the entire assembly.

Since none of the cited references, Abraham, Bulka and/or Cole disclose the features of the present invention, either alone or in combination, they cannot render the present invention obvious. Specifically, the present invention includes a storage compartment with an aperture in the side thereof with a picture binder rail that holds a sleeve of pictures and also serves as a closure for the aperture. This combination of features simply is not shown or described in any of the cited references. Accordingly, Applicant respectfully requests that this rejection be withdrawn.

***Conclusion***

In summary, Applicant submits that claims 1, 3, 5-8, 10-12, 14, 16, 17 and 19-20 are patentable and each of the Examiner's rejections and objections has been overcome. Accordingly, Applicants respectfully request favorable consideration and allowance of amended claims 1, 3, 5-8, 10-12, 14, 16, 17 and 19-20.

The Commissioner is hereby authorized to charge any additional fee required in connection with the filing of this paper or credit any overpayment to Deposit Account 02-0900.

Should there be any outstanding matter that needs to be resolved in the present application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Respectfully submitted,  
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